REMARKS

Status of Claims:

Claims 6 and 18 are cancelled. New claims 31-32 are added. Thus, claims 1-5, 7-17, and 19-32 are present for examination.

Claim Rejection:

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eder (U.S. Patent Number 5,615,109) in view of Ojha et al. (U.S. Patent Number 6,598,026) (hereinafter Ojha).

Claims 6 and 18 are cancelled. With respect to claims 1-5, 7-17, and 19-30, as amended, the rejection is respectfully traversed.

Independent claim 1, as amended, recites a system for deciding a bid item for which a bid is made, comprising:

"a data memory for storing a logical formula representing a relationship among a plurality of bid items, a value table containing a value of each of the bid items, price information of each of the bid items in at least one market, a total purchasing fund, and a bidding strategy;

a profit computation section for computing a profit obtainable when at least one bid item selected from the plurality of bid items is purchased, based on the value and the price information of the at least one bid item; and

a strategy computation section for determining at least one bid item for which a bid should be made and a gross profit obtainable from the determined at least one bid item, wherein the strategy computation section selects a candidate combination including one of 1) no bid items, 2) one bid item, and 3) two or more bid items from the plurality of bid items based on the logical formula and price information of two or more of the plurality of bid items, and instructs the profit computation section to compute a profit obtainable from the selected candidate combination, said two or more of the plurality of bid items being separate and distinct from one another and not different quantities of the same item, said strategy computation section further **establishing the bidding strategy taking into consideration a possible rise of a bidding price of each of the plurality of bid items due to participation of a third party to the bidding in the future**." (Emphasis Added).

According to embodiments of the present invention, a list of items to be purchased is decided according to a logical formula (profit formula) so as to maximize a possible profit. The logical formula may be defined, for example, as a combination of: (i) AND (all items are purchased); (ii) OR (any one item or any number of items are purchased within the total purchasing fund as long as the possible profit increases); and (iii) exclusive-OR (only one item is purchased so as to maximize the possible profit).

Neither Eder nor Ojha, alone or in combination, disclose or suggest a system including the above-quoted features with a strategy computation section that establishes a bidding strategy **taking into consideration a possible rise of a bidding price** of each of a plurality of bid items **due to participation of a third party to the bidding in the future**.

Eder discloses inventory optimization techniques based on discount information and the like which is dependent on a purchase unit, a unit cost price, and a purchase amount of items to be purchased from a plurality of vendors. Although multiple items are handled, Eder does not disclose a combinational profit of multiple items, but an inventory management by purchasing optimal items from optimal vendors taking forecasts of sales, their risks, and the like into account. In other words, Eder proposes how to purchase items so as to enhance inventory management under changing conditions.

Ojha relates to a marketplace on the Internet and discloses a bidding system in which products and prices are bid while negotiating between buyers and sellers. Ojha proposes not only a method of price negotiation as to products, but also a method of price negotiation with selected ones of sellers for selected ones of a plurality of products.

Independent claim 1 has been amended with features of previously pending dependent claim 6, and dependent claim 6 has now been cancelled. Regarding previously pending claim 6, the Examiner recognized that, "Eder **does not disclose** wherein the strategy computation section further establishes a purchasing strategy taking into consideration a possible rise of a purchasing price of each of the purchase items due to participation of a third party to the purchasing in the future." (Emphasis Added). The Examiner then alleged that such a feature is well known in the art in bidding for an item.

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However, such a feature of the present claim is distinguished from Eder's inventory management, because Eder does not teach a technique of bidding taking into consideration possible rises of bidding prices of a plurality of items.

Ojha discloses a method of price negotiation with selected ones of sellers for a plurality of products. However, according to embodiments of the present invention, price negotiation with a seller is not made for a plurality of products. Instead, embodiments of the present invention provide systems and methods for maximizing a buyer's profit by bidding individually in a plurality of markets based on a buyer's strategy, while the buyer is looking at situations of a plurality of biddings. Accordingly, embodiments of the present invention are different in objective from Ojha.

Since the Examiner admits that the Eder reference **does not disclose** the feature of a strategy computation section further establishing a purchasing strategy taking into consideration a possible rise of a purchasing price of each of the purchase items **due to participation of a third party** to the purchasing in the future, the Examiner is challenged to provide a reference for such a teaching so that applicant has an opportunity to review the reference and to provide comments.

Therefore, independent claim 1, as amended, is neither disclosed nor suggested by the Eder and Ojha references and, hence, is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 7 recites an automated bidding system with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 8 recites a bid supporting system with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 13 recites a method for deciding a bid item for which a bid is made with features similar to features of a system for deciding a bid item of independent claim 1

and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 19 recites an automatic bidding method with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 20 recites a bid supporting method with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 25 recites a computer-readable recording medium storing a computer program for deciding a bid item for which a bid is made where the computer program performs steps with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 26 recites a computer-readable recording medium storing a computer program for automatic bidding where the computer program performs steps with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 27 recites a computer-readable recording medium storing a computer program for a bid supporting method with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 28 recites, in a computer, a method for deciding a bid item for which a bid is made with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 29 recites, in a computer, a method for deciding a bid item for which a bid is made with features similar to features of a system for deciding a bid item of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date _____November 2, 2005_____   By _____*(signature)*_____

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